

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VERNON MAULSBY,

Plaintiff,

v.

PHILLIP EPHRAIN, et al.

Defendant.

CIVIL ACTION

NO. 22-4840

Pappert, J.

March 22, 2024

ORDER

AND NOW, this 22nd day of March, 2024, upon consideration of Defendant's Motion for Summary Judgment, (ECF No. 63), and Plaintiff's Response in Opposition, (ECF No. 70), and Response to Defendant's Statement of Undisputed Material Facts, (ECF No. 71), it is hereby **ORDERED** that the motion is **GRANTED** in part and **DENIED** in part. Count I, the deliberate indifference claim, survives, but judgment is entered in favor of Defendant on Count II, the negligence claim.

It is further **ORDERED** that the Amended Scheduling Order, (ECF No. 50), is **STAYED** pending a status conference with the parties.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.